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AUG 25 2004

FACSIMILE TRANSMISSIONS COVERSHEET

DATE: Aug. 25, 2004

ATTENTION: Assignment Division

COMPANY: PTO

FACSIMILE NO.: 703-872-9306

FROM: Brian S. Tomko

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NUMBER OF PAGES INCLUDING THIS COVER SHEET: 7

COMMENTS: Re: **USSN 10/736,199**
Our Ref.: **ETH5099**

Contents:

Assignment and Recordal sheet

CONFIDENTIALITY NOTICE

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Commissioner for Patents:

AUG 25 2004

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Peter Douglas Denis LaBombard Garry Whipple Stephen Evans Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: Ethicon, Inc. Street Address: U.S. Route 22 City: Somerville State: NJ Zip: 08876 Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other Execution Date: 7/28/04; 8/3/04; 8/23/04; 8/24/04			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) B. Patent No.(s) 10/736,199 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Philip S. Johnson, Esq. Chief Patent Counsel Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003		6. Total number of applications & patents involved: <u>1</u> 7. Total fee (37 CFR 3.41) <u>\$40.00</u> <input checked="" type="checkbox"/> Authorized to be charged to Deposit Account 8. Deposit Account Number: 10-0750/ETH5099/BST	
9. Statement and signature <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> Brian S. Tomko <u>BS Tomko</u> 8/25/04 Name of Person Signing Signature Date Total number of pages including cover sheet, attachments, and document: 6			

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DOCKET NO. ETH5099
Joint Inventors

A S S I G N M E N T

Serial No.10/736,199
Filed December 15, 2003

WHEREAS, Peter Douglas, Denis LaBombard, Gary Whipple and Stephen Evans, residing at 337 Monmouth Ave., New Milford, NJ 07646; 7 Boardman St., Georgetown, MA 01833-1607; 406 Newport Ave., Attleboro, MA 02703-5618; and 6 Sherwood Dr., Westford, MA 01886, respectively (hereinafter called "Assignors"), have made certain new and useful inventions or discoveries relating to

Variable Stiffness Shaft

for which they have on the day of , 2004 executed an application for Letters Patent of the United States; and

WHEREAS, Ethicon, Inc., a corporation of the State of New Jersey, (hereinafter called "Assignee"), is desirous of acquiring Assignors' entire right, title, and interest therein:

NOW, THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar and other valuable considerations to them moving, the receipt of which is hereby acknowledged, Assignors have sold, assigned, and transferred, and do hereby sell, assign and transfer unto said Assignee their entire right, title and interest in and to all said inventions and discoveries disclosed in said application whose identification above by serial number and filing date, when available is hereby authorized, and in and to said application, all substitutions, divisions, and continuations thereof, and in and to all Letters Patent, United States and foreign, that may be granted for said inventions and discoveries, and in and to all extensions, renewals, and reissues thereof, the same to be held and enjoyed by said Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignors if this Assignment and sale had not been made;

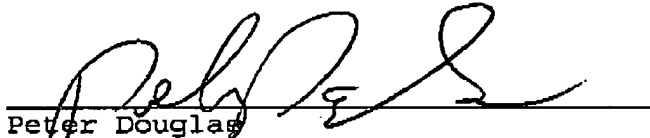
And Assignors hereby authorize and request the Commissioner of Patents of the United States to issue said Letters Patent in accordance with this Assignment;

And for the consideration aforesaid, Assignors covenant and agree with said Assignee that he has a full and unencumbered title to the inventions and discoveries above

described and hereby assigned, which title they warrant unto said Assignee, its successors and assigns;


And for the consideration aforesaid, Assignors further covenant and agree that they will, whenever requested, but without cost to them promptly communicate to said Assignee or its representatives any facts known to them relating to said inventions and discoveries, testify in any interference or legal proceedings involving said inventions and discoveries, and execute any additional papers that may be necessary to enable said Assignee or its representatives, successors, nominees, or assigns to secure full and complete protection for the said inventions and discoveries or that may be necessary to vest in said Assignee the complete title to the said inventions and discoveries and patents hereby conveyed and to enable it to record said title.

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 24th day of Aug., 2004


Peter Douglas (L.S.)

STATE OF) New Jersey
) ss.
COUNTY OF) Bergen

BE IT REMEMBERED, That on this 24th day of Aug., 2004, before me, a Notary Public, personally appeared Peter Douglas, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.


Notary Public
GAYLE A. BISCHOFF
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 9/28/2005

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this 23 day of August, 2004



Denis LaBombard (L.S.)

STATE OF MA)

) ss.

COUNTY OF Essex)

BE IT REMEMBERED, That on this _____ day of _____, 2004, before me, a Notary Public, personally appeared Denis LaBombard, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this _____ day of _____, 2004

Gary Whipple (L.S.)

STATE OF _____)

) ss.

COUNTY OF _____)

BE IT REMEMBERED, That on this _____ day of _____, 2004, before me, a Notary Public, personally appeared Gary Whipple, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this day of , 2004

Denis LaBombard (L.S.)

STATE OF)
COUNTY OF) ss.

BE IT REMEMBERED, That on this day of , 2004, before me, a Notary Public, personally appeared Denis LaBombard, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this day of , 2004

Gary Whipple (L.S.)

STATE OF) MASSACHUSETTS
COUNTY OF) ss.
) MIDDLESEX

BE IT REMEMBERED, That on this 30th day of August, 2004, before me, a Notary Public, personally appeared Gary Whipple, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.



Margaret A. Mowman
Notary Public

IN TESTIMONY WHEREOF, Assignor has hereunto set his hand and seal this day of , 2004 .

Stephen Evans

(L.S.)

STATE OF

1 Massachusetts

33.

COUNTY OF

1 Middlesex

BE IT REMEMBERED, That on this 28th day of July, 2004, before me, a Notary Public, personally appeared Stephen Evans, who I am satisfied is the person named in and who executed the foregoing instrument in my presence, and I having first made known to him the contents thereof, he did acknowledge that he signed, sealed, and delivered the same as his voluntary act and deed for the uses and purposes therein expressed.

Julia A. Williams
Notary Public